

REMARKS

Applicant has now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of June 23, 2005. Applicant desires consideration of the enclosed amendment.

Claims 19-22, 24-37, and 48-50 are pending in the application.

Claims 23 and 38-47 have been canceled. Claims 19, 24, and 48 have been amended in the present amendment.

THE OFFICE ACTION

The Examiner has requested a restriction between Group 1 (claims 19-39, 48-50) and Group 2 (claims 40-47). The Examiner described the Group 1 claims as drawn to a method of treating fluids and the Group 2 claims as drawn to a fluid treatment apparatus. Applicant affirms the provisional election of Group 1.

The Examiner objected to claim 24 and stated that should claim 24 be found allowable, claim 28 would be objected to as being a substantial duplicate thereof. Applicant has amended claim 24 in the present amendment, thus, claim 28 is not a duplicate of claim 24.

Claims 19-36, 38, 39, and 48-50 were rejected under 35 U.S.C. §102(b) as being anticipated by Grochowski (U.S. Patent No. 5,603,907).

Claim 37 was rejected under 35 U.S.C. §103(a) as being unpatentable over Grochowski (U.S. Patent No. 5,603,907) in view of Romey et al. (U.S. Patent No. 4,764,355).

THE CLAIMS DISTINGUISHED OVER THE REFERENCES OF RECORD

As the Examiner is aware, applicant claims a method of treating fluids by use of at least one bulk material comprising flowing a fluid substantially through a plurality of bulk material

beds, the fluid flowing from a bottom to a top of at least one bulk material bed. The bulk material is moved countercurrent to the flow of the fluid through at least one of the bulk material beds.

Independent claim 19 has been amended and now includes the limitation of dependent claim 23. Namely, independent claim 19 now recites wherein said at least one bulk material bed includes a loading opening adapted to receive said at least one bulk material into said top of said bulk material bed, and at least one closeable unloading opening to controllably remove said at least one bulk material from said bottom of said at least one bulk material bed. This limitation is neither anticipated nor made obvious by the '907 patent. The '907 patent describes fluid intake openings 15 which can be connected or separated with/from the gas intake channel 13 by a slider 29 or flaps 30 with a correspondingly large and correspondingly arranged perforation. The sliders 29, as recited in the '907 patent, are used to connect or separate the gas intake channel with the fluid intake openings 15.

In contrast to the '907 patent, the present application describes and claims at least one closeable unloading opening to controllably remove at least one bulk material from the bottom of the at least one bulk material bed. As described above, the '907 patent describes the selective opening and closing of the fluid intakes. As such, independent claim 19, and all claims dependent therefrom are not anticipated for at least the reasons stated above.

Claim 24 has been amended and is now in independent form. Currently amended claim 24 includes the limitations of originally filed claims 19, 24, 38, and 39. Independent claim 24 now recites a moveable bulk material delivery mechanism which includes a container. The container includes a plurality of slit openings or linear openings that are used to at least partially deliver the at least one bulk material in the at least one bulk material bed. Further, the claim

recites that the container is moveable on guides, and that the container includes a trough with closeable unloading openings which are arranged over a trough floor in a surface distribution or in a linear arrangement. As such, claim 24 recites a closeable unloading opening in the bulk material delivery mechanism. The arguments raised above with respect to independent claim 19 are equally appropriate here and will not be repeated. For at least the reasons stated above, independent claim 24, and all claims dependent therefrom, are not anticipated nor made obvious by the cited references.

Additionally, dependent claim 33 recites a bulk material delivery mechanism which applies at least two different bulk materials to the at least one bulk material bed. Dependent claim 34 recites the bulk material bed includes a plurality of different types of bulk material. These claims recite the use of at least two different bulk materials. Similarly, independent claim 48 recites introducing a first bulk material and a second bulk material to the bulk material bed. The '907 patent does not disclose having a first and second bulk material. Independent claim 9, of the '907 patent, recites separating the incrementally removed bulk material of step a into a first batch of first removed bulk material and into a second batch of second removed bulk material (step c). Separating the incrementally removed bulk material of step a describes separating the exhausted bulk material from the reaction chamber at one end. Thus, the '907 patent does not anticipate nor make obvious the method wherein the bulk material delivery mechanism supplies at least two different bulk materials to the at least one bulk material bed (refer to claims 33, 34, and 48). As such, claims 33, 34, and 48, and all claims dependent therefrom are not anticipated nor made obvious by the cited references.

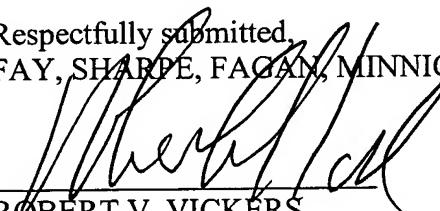
Dependent claim 37 recites at least one adsorbent includes activated coke, and said at least one chemically reactive component includes calcium hydroxide. As stated above, the

present application describes and recites the use of two different types of bulk material. Claim 37 further describes the two different types of bulk materials being activated coke and calcium hydroxide. The '907 patent describes incrementally removing the exhausted bulk material from the reaction chamber and separating the material into a first batch and a second batch. As such, the '907 patent does not anticipate nor make obvious the use of two different types of bulk material and in particular bulk materials including activated coke and calcium hydroxide.

CONCLUSION

Each issue raised in the Office Action dated June 23, 2005 has been addressed. All formal and informal matters having been addressed, this application is in condition for allowance. Early notice to that effect is solicited.

Respectfully submitted,
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